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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,624	11/29/2001	Tadashi Fujimura	111235	2285
25944	7590	05/05/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			AGGARWAL, YOGESH K	
			ART UNIT	PAPER NUMBER
			2615	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/995,624

Applicant(s)

FUJIMURA, TADASHI

Examiner

Yogesh K. Aggarwal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/11/2002</u> . | 6) <input type="checkbox"/> Other: ____  |

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 4, 9, 11, 12, 17, 19 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 9-37125) in view of Scott et al. (US Patent # 6,545,687).

[Claims 1 and 11]

Tamura teaches an image data processing device (figure 1 discloses a camera), comprising a basic image data acquisition device (CCD 1) that acquires basic image data (Paragraph 14), a transmission device (5) that transmits at least said basic image data to an external storage device (Paragraph 14).

Tamura teaches transmitting basic image data and storing basic images in the memory after the main images are transmitted (Paragraphs 19-21, specifically Paragraph 19 lines 8-12) but fails to teach specifically a simplified image data generation device that generates simplified image data corresponding to said basic image data which has been acquired, a size of said simplified image data being smaller than that of said basic image data and an internal storage device that stores said simplified image data without storing said basic image data.

However Scott et al. teaches that thumbnail images (simplified images) are stored instead of main images (basic images) by compressing thumbnail images further in order to minimize the storage requirements because the memory is normally at premium (col. 16 lines 26-35). It would be inherent that the size of the thumbnail images is smaller than basic images. Therefore

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taking the combined teachings of Tamura and Scott it would have been obvious to one skilled in the art at the time of the invention to have been motivated to store compressed images corresponding to basic images instead of basic images without storing basic images as taught in Tamura in order to minimize the storage requirements because the memory is normally at premium.

[Claim 3]

Tamura teaches wherein said internal storage device temporarily stores said basic image data teaches and deleting only said basic image data after said signal transmission device has transmitted said basic image data to the external storage device (Paragraphs 19-21) and Scott teaches storing said simplified image data (col. 16 lines 26-35).

[Claim 4]

Tamura teaches wherein the transmission device transmits via radio (Paragraph 9).

[Claim 9]

Tamura in view of Scott teaches a power supply control device that turns off a supply of power to the image data processing device upon actuation of an actuation member (Paragraph 15) but fails to teach if said actuation member is actuated while said signal transmission device is transmitting said basic image data to the external storage device, said power supply control device turns off said supply of power to the image data processing device after said signal transmission device has completed transmitting of said basic image data.

However Official Notice is taken of the fact that it is well known in the art to have an actuation member that if actuated while said signal transmission device is transmitting said basic image data to the external storage device, said power supply control device turns off said supply

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of power to the image data processing device after said signal transmission device has completed transmitting of said basic image data in order to have an uninterrupted transmission.

Therefore taking the combined teachings of Tamura, Scott and Official notice it would be obvious to one skilled in the art at the time of the invention to have been motivated to have an actuation member that if actuated while said signal transmission device is transmitting said basic image data to the external storage device, said power supply control device turns off said supply of power to the image data processing device after said signal transmission device has completed transmitting of said basic image data in order to have an uninterrupted transmission of the image if the power supply is accidentally turned off.

[Claim 12]

Tamura teaches photographing several sheets of images (Paragraph 17), which is read as continuous photography and figures 1 and 3 disclose a CPU 6 for controlling continuous photography, memory 4 that stores the images, a transmitter 5 and a mode changeover switch 12 that erases the basic image data (Paragraphs 17-19). Scott teaches a plurality of thumbnail images that can be stored.

[Claims 17, 19]

Tamura teaches transmitting only the basic image data (Paragraphs 19-21) and therefore the simplified (thumbnail) image data is not transmitted to the external device.

[Claim 22]

Method claim 22 corresponds to apparatus claim 1 and is therefore analyzed and rejected the same as previously discussed with respect to apparatus claim 1.

[Claims 23-25]

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Computer program storing claims 23-25 correspond to apparatus claim 1 and are therefore analyzed and rejected the same as previously discussed with respect to apparatus claim 1.

3. Claims 2, 5-8, 13-16, 18, 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 9-37125), Scott et al. (US Patent # 6,545,687) and further in view of Tomat et al. (US Patent # 6,784,925).

[Claim 2]

Tamura in view of Scott teach the recited limitations of claim 1 but fails to teach an identifying information generation device that generates identifying information for individually identifying correspondence between said basic image data and said simplified image data, wherein said signal transmission device transmits at least said basic image data and said identifying information to the external storage device, an internal storage device stores that stores said thumbnail image data and said identifying information and transmits it to the external device.

However Tomat et al. teaches an identifying information generation device (figure 1, camera 14) that generates identifying information (figure 23, element 212) for individually identifying correspondence between said basic image data (thumbnail images identify corresponding image files) and said simplified image data (thumbnail shown in the viewing area 192, figure 22), wherein said signal transmission device transmits at least said basic image data and said identifying information to the external storage device (col. 14 line 54-col. 15 line 39, figures 22 and 23). It would be inherent that the camera 14 has an internal storage device stores that stores said thumbnail image data and said identifying information and transmits it to the PC.

Therefore taking the combined teachings of Tamura, Scott and Tomat it would be obvious to one skilled in the art at the time of the invention to have been motivated to have an

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identifying information generation device that generates identifying information for individually identifying correspondence between said basic image data and said simplified image data, wherein said signal transmission device transmits at least said basic image data and said identifying information to the external storage device, an internal storage device stores that stores said thumbnail image data and said identifying information and transmits it to the external device included into the system of Tamura as taught by Tomat in order to easily identify, transmit and store the images in an external storage device after they are transmitted from a camera.

[Claim 5]

Tomat discloses displaying multiple thumbnail images (col. 15 lines 27-29). Therefore it would be inherent that the basic image data acquisition device, the simplified image data generation device, the transmission device, and the internal storage device perform processing for a plurality of sets of basic image data in the camera device 14. Tamura teaches a selection device that selects a single simplified image from said plurality of simplified images which have been displayed upon said display device is provided (col. 17 lines 20-32, figure 26), a command generation device that generates a delete command (figure 28, command 250 under the warning box) for deletion of simplified image data and basic image data corresponding to a simplified image which is selected by said selection device is provided and said signal transmission device transmits identifying information and a delete command corresponding to the simplified image that has been selected, to the external storage device (col. 17 lines 45-58).

[Claim 6]

Tomat teaches a protect command for preventing deletion (figure 28, command 252) of simplified image data and basic image data corresponding to a simplified image that is selected

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by said selection device; and said signal transmission device transmits identifying information and a protect command corresponding to the simplified image that has been selected, to the external storage device (col. 17 lines 54-58).

[Claim 7]

Tomat discloses a box 256 in figure 28 which if unchecked will not warn before deleting and therefore reads on a command generation device that generates a protection cancel command for canceling prevention of deletion of simplified image data and basic image data corresponding to a simplified image that is selected by said selection device and said signal transmission device transmits identifying information and a protection cancel command corresponding to the simplified image that has been selected, to said external storage device.

[Claim 8]

Tomat et al. discloses an acquired icon 224 that indicates that the thumbnail images have been downloaded from camera 14 (col. 15 lines 66-67, figure 24).

[Claim 13]

Tamura discloses a LCD display unit 11 for displaying basic image data (Paragraph 19) but fails to teach a display device that displays a plurality of simplified images corresponding to said plurality of sets of simplified image data and when said signal transmission device is transmitting a set of basic image data, said display device controls display of said plurality of simplified images so as to be able to identify a simplified image that corresponds to the set of basic image data which is being transmitted.

However Tomat et al. teaches a selection device that selects a single simplified image from plurality of simplified images which have been displayed upon said display device is



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provided (col. 17 lines 20-32, figure 26) and an acquired icon 224 that indicates that the thumbnail images have been downloaded from camera 14 (col. 15 lines 66-67, figure 24) in order to identify the thumbnail images easily to the user.

Therefore taking the combined teachings of Tamura, Scott and Tomat it would be obvious to one skilled in the art at the time of the invention to have been motivated to have selected a single simplified image from plurality of simplified images which have been displayed upon said display device is provided and an acquired icon 224 that identifies that the thumbnail images have been downloaded from camera 14 after they have been transmitted in order to identify the thumbnail images that have been transmitted easily to the user.

[Claim 14]

Claim 14 corresponds to claim 1 except an image storage device that is provided in said external storage device and stores at least said basic image data, which has been transmitted from said image data processing device.

However Tomat teaches that acquired icon 224 indicating that a photo-group 5 comprising thumbnail images has been downloaded from camera 14 (memory 36 inside the camera) to another storage device (PC) or that its full-resolution image file has been inserted into an application (col. 15 line 66- col. 16 line 10, figure 24).

Therefore taking the combined teachings of Tamura, Scott and Tomat it would be obvious to one skilled in the art at the time of the invention to have been motivated to have an image storage device that is provided in said external storage device and stores at least said basic image data which has been transmitted from said image data processing device in order to utilize the memory space in the image processing device efficiently.

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[Claim 15]

Claim 15 corresponds to claim 2 except an image storage device of said external storage device stores at least said basic image data which has been transmitted from said image data processing device. Tomat et al. teaches an identifying information generation device (figure 1, camera 14) that generates identifying information (figure 23, element 212) for individually identifying correspondence between said basic image data (thumbnail images identify corresponding image files) and said simplified image data (thumbnail shown in the viewing area 192, figure 22), wherein said signal transmission device transmits at least said basic image data and said identifying information to the external storage device (col. 14 line 54-col. 15 line 39, figures 22 and 23). It would be inherent that the camera 14 has an internal storage device stores that stores said thumbnail image data and said identifying information and transmits it to the PC.

[Claims 16, 18, 20]

Tamura in view of Scott teaches transmitting only the basic image data (Paragraphs 19-21) but fails to teach the transmission of simplified image data corresponding to the basic image data.

However Tomat et al. teaches that acquired icon 224 indicating that photo-group 5 comprising thumbnail images has been downloaded from camera 14 (memory 36 inside the camera) to another storage device (PC) or that its full-resolution image file has been inserted into an application (col. 15 line 66- col. 16 line 10, figure 24).

Therefore taking the combined teachings of Tamura, Scott and Tomat it would be obvious to one skilled in the art at the time of the invention to have been motivated to have an image storage device that is provided in said external storage device and stores at least said basic

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image data which has been transmitted from said image data processing device in order to utilize the memory space in the image processing device efficiently.

[Claim 21]

Tamura teaches transmitting only the basic image data (Paragraphs 19-21) and therefore the simplified (thumbnail) image data is not transmitted to the external device.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tamura (JP Patent # 9-37125), Scott et al. (US Patent # 6,545,687) and further in view of Yamaguchi et al. (US Patent # 6,400,392).

[Claim 10]

Tamura in view of Scott teaches all the recited limitations of claim 1. Tamura further teaches an LCD display unit 11 (figure 3) used to display a basic image data (Paragraphs 19-21) but fails to teach wherein said display device performs control so as to lower a brightness of display image, when said signal transmission device is transmitting said basic image data to the external storage device.

However Yamaguchi teaches that display brightness of part of the window during transmission is reduced in order to easily grasp the overall atmosphere of the transmission (col. 15 line 66- col. 16 line 3).

Therefore taking the combined teachings of Tamura, Scott and Yamaguchi et al. it would be obvious to one skilled in the art at the time of the invention to have been motivated to have a display device performs control so as to lower a brightness of display image into the basic image transmission of Tamura in order to easily grasp the overall atmosphere of the transmission.

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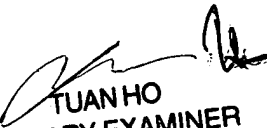
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh K. Aggarwal whose telephone number is (571) 272-7360. The examiner can normally be reached on M-F 9:00AM-5:30PM.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YKA  
April 28, 2005

  
TUAN HO  
PRIMARY EXAMINER